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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,802	07/31/2003	Atsushi Miki	1083.1093	9768
21171	7590	11/15/2005	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			NGUYEN, DUC M	
			ART UNIT	PAPER NUMBER
			2685	

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/630,802	Applicant(s) MIKI ET AL.	
	Examiner Duc M. Nguyen	Art Unit 2685	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,2,7,11,15 and 16 is/are rejected.
- 7) ☒ Claim(s) 3-6,8-10 and 12-14 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on ____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Information Disclosure Statement

1. The references listed in the information disclosure statements submitted on 7/31/03 has been considered by the examiner (see attached PTO-1449).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims **1-2, 7, 11, 15-16** are rejected under 35 U.S.C. 103(a) as being unpatentable by **Lupien** (US Patent Number **6,006,091**) in view of **Hong** (US Patent Number **2004/0009766**).

Regarding claims **1**, **Lupien** discloses a method for informing a network of the operating capability of a mobile phone upon receiving a request from the network after a connection is established (see col. 4, lines 1-65), in order to provide support of new, non-traditional services (see col. 5, lines 30-34), wherein the mobile capabilities include the model information of the mobile phone (see col. 4, lines 40-52). However, **Lupien** fails to disclose an image conversion system for converting image data according to the model characteristics and for transmitting the converted image data to the mobile

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terminal. However, **Hong** discloses a method for providing real-time image of traffic information to a mobile terminal, wherein **Hong** discloses an image conversion system for converting image data according to the model characteristics and for transmitting the converted image data to the mobile terminal (see [0007], and [0033] through [0037]). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to combine the above teachings Lupien and Hong for providing new real-time image traffic information service to mobile terminals while incorporating Lupien's teaching of updating mobile terminal capabilities, in order to support an image file format appropriate for transferring to the corresponding mobile terminal subscribed to this new service. By doing so, it is clear that Lupien and Hong, as combined and modified, would obviously teach a conversion look-up table as claimed, in order to retrieve conversion information corresponding to each model phone.

Regarding claims **2, 11, 16**, the claims are interpreted and rejected for the same reason as set forth in claim 1 above, wherein it is clear that a processor and a computer program as claimed are inherent items of the network servers in order to perform the image file conversion process.

Regarding claims **7, 15**, the claims are rejected for the same reason as set forth in claim 1 above, wherein it is clear that a protocol would obviously be an item of the conversion table in order to transmit the image in a transmission format that would be decodable by the mobile phone.

Allowable Subject Matter

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4. Claims 3-6, 8-10, 12-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

JP 2001-292440 to **Minoru et al**,

JP 2001-313749 to **Yosuke et al**,

JP 2003-228540 to **Kawaguchi et al**,

JP 2002-369024 to **Horii**,

JP 2002-094919 to **Shimizu**,

JP 2001-345896 to **Kobayashi**,

US 20020167522A1 to **Miyazawa**,

US 20020047916A1 to **Miyagi et al**,

US 20050143136A1 to **Lev et al**,

US 20020102938A1 to **Tsubaki et al**,

US006937588B2 to **Park**.

6. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(571) 273-8300 (for **formal** communications intended for entry)

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(571)-273-7893 (for informal or **draft** communications).

Hand-delivered responses should be brought to Customer Service Window,
Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

Any inquiry concerning this communication or communications from the examiner
should be directed to Duc M. Nguyen whose telephone number is (571) 272-7893,
Monday-Thursday (9:00 AM - 5:00 PM).

Or to Edward Urban (Supervisor) whose telephone number is (571) 272-7899.

Duc M. Nguyen

Nov 8, 2005

A handwritten signature in black ink, appearing to read 'Duc M. Nguyen', written over the printed name and date.